THE HONOURABLE SRI JUSTICE C.V. RAMULU

W.P. No.13005 of 2006

Date: 05-09-2007

Between:

G. Subanna, S/o Subbaiah
Petitioner

And

The Primary Agriculture Cooperative Society
and another
Respondents

ORDER:

This writ petition has been filed seeking *Writ of Mandamus* to declare the action of the respondents, particularly, 1st respondent, in not paying regular salary to the petitioner from 21-01-2006 till date, though the petitioner was reinstated and working as a paid Secretary in the 1st respondent's Society by virtue of the orders of the

1st respondent dated 20-01-2006, as arbitrary and illegal and consequently to direct the respondents to pay regular salary to the petitioner from 21-01-2006 till date.

It is the case of the petitioner that he was placed under suspension with effect from 01-08-2003 and same was revoked and reinstated on 21-01-2006. However, the respondents are not paying the salary from 21-01-2006 till date.

A detailed counter affidavit has been filed by the

1st respondent denying the allegations made by the petitioner. It is asserted that though the petitioner joined duty on

21-01-2006 and he attended up to 31-03-2006, thereafter again he was unauthorisedly absent to duty from 01-04-2006 without applying any leave. The subsistence allowance for the period from 01-08-2003 to 20-01-2006 and his regular salary from 21-01-2006 to 31-03-2006 are pending since the administrative sanction and

permission from the General Manager, District Cooperative Central Bank Limited, Kadapa has not yet been received.

In view of the above, without expressing any opinion on merits, the respondents are directed to get the administrative sanction from the General Manager, District Cooperative Central Bank Limited, Kadapa within a period of three months from the date of receipt of a copy of this order,
if not already received, and pay the allowances and salary,
as per the eligibility, of the petitioner.

With the above direction, the Writ Petition is disposed of. There shall be no order as to costs.

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JUSTICE C.V. RAMULU

Date: 05-09-2007
LSK